
DECLARATION OF KENDRA WALKER

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

- 1) “My name is Kendra Walker. I am a current resident of Harris County, Texas. I am over eighteen (18) years of age and am competent and authorized to make this Declaration. I have never been convicted of a crime involving moral turpitude. I have personal knowledge of the facts stated herein, which are true, correct, and within my personal knowledge.
- 2) “I am the President of Pride Houston, Inc. (“Pride Houston”), a Texas non-profit corporation that annually organizes the official Houston LGBT Pride Celebration which includes the Houston Pride Festival and Houston Pride Parade. Pride Houston, Inc. has served the Houston LGBT community for forty-six (46) years.
- 3) “Pride Houston’s services include the planning, marketing, and facilitation of social events such as festivals, parades, fashion shows, night-life events, and community engagement events (collectively, hereinafter “Plaintiff’s Pride Events”) specifically catered to individuals residing within and outside of Houston, Texas, who identify as lesbian, gay, bisexual, transgender, queer, intersex, asexual, and/or otherwise non-heterosexual and/or non-gender conforming (collectively, hereinafter the “LGBTQ+ Community”), as well as their social and civil allies.
- 4) “Plaintiff’s Pride Events have been exceptionally well-received by these communities and have gained significant recognition among the general public, comprising over seven hundred thousand (700,000) participants each year between its various Houston events.
- 5) “Pride Houston holds several federal-protected trademarks, including “Pride Houston,” “Houston Pride Festival,” “Houston Pride Parade,” “Houston LGBT Pride Celebration,” and “Pride Houston Celebration” (collectively, the “Trademarks”). Pride Houston’s Trademarks are registered under goods and services related to promoting public awareness of the need for diversity and equal rights in a community comprising LGBTQ identifying people, as well as to commemorating and celebrating the history of the gay and lesbian communities.
- 6) “Pride Houston enjoys tremendous success, widespread visibility, and significant goodwill throughout the United States, including the popularity and widespread recognition of Plaintiff’s brand and trade name by various media outlets and the numerous positive endorsements of Plaintiff’s Pride Events, and the public has come to recognize and trust Pride Houston’s brand and trade name.

Exhibit 1

- 7) “An organization called “The New Faces of Pride Houston” has been formed in Texas in an attempt to bankrupt and malign Pride Houston. The New Faces of Pride Houston are trying to bill themselves as the producers of the Houston Pride Parade and Houston Pride Festival, thus infringing upon Pride Houston’s Trademarks and impeding its ability to fundraise and continuing hosting Plaintiff’s Pride Events.
- 8) “The New Faces of Pride Houston has a vendetta against our organization and has ties with a disgruntled vendor with which Pride Houston decided not to renew a contract with. Bryan Cotton, President of The New Faces of Pride Houston, as well as Lori Hood, its registered agent and legal representative, were suggested as Board Members for our organization through the disgruntled vendor, but due to obvious conflicts of interest, were not accepted. Bryan Cotton is the best friend of the disgruntled vendor. Lori Hood is the intimate partner of the disgruntled vendor.
- 9) “Lori Hood is also the lawyer representing the disgruntled vendor in another lawsuit. Lori Hood has requested financials from Pride Houston as a "concerned citizen" on a fishing expedition even though she knows Pride Houston is represented by counsel. This fishing expedition to find impropriety where none exists was predictably futile. The financials of Pride Houston were shared pursuant to Texas law.
- 10) “The New Faces of Pride Houston is trying to bill itself as the producer of the Houston Pride Parade and Houston Pride Festival, thus impeding on Pride Houston’s Trademarks and ability to fundraise in adequate time to once again host same. Several vendors and sponsors of Pride Houston have expressed concern and confusion between The New Faces of Pride Houston and Pride Houston, between which there is no connection nor relationship. This has inhibited Pride Houston’s ability to fundraise for its annual Houston Pride Celebration that has been produced and hosted by Pride Houston continuously for the past forty-six (46) years.
- 11) “At least one (1) member of The New Faces of Pride Houston, Dustin Scheffield, is a defendant in a pending lawsuit that includes claims of misappropriation of the funds of Pride Houston.
- 12) “Monte Bacchus, former Production Team Member for Pride Houston, left Pride Houston in 2020 in a sign of protest as Pride Houston filed suit against Dustin Scheffield, Jacob Siegel, and ex-Executive Director Lorin Roberts.
- 13) “Donald James, the Treasurer of The New Faces of Pride Houston, was hired by the disgruntled vendor as an influencer for Pride Houston in 2022.
- 14) “Jill Marie Maxwell, a former member of the Board of Pride Houston, was dismissed from said position in 2019 for failure to fulfill her fiduciary duty.
- 15) “Andrea Simonton, the project lead for Pride Houston’s marketing efforts in 2022, who also worked for the disgruntled vendor, is also a member of The New Faces of Pride

Exhibit 1

Houston. Due to this connection, Pride Houston strongly suspects that unauthorized access to Pride Houston's previous media and sponsor contacts have been wrongfully provided to The New Faces of Pride Houston.

- 16) "The New Faces of Pride Houston have also used their contacts and friends in the media to plant stories and quotes that Pride Houston has never made. Pride Houston has been hard at work to have these articles corrected as they are discovered in order to maintain Pride Houston's goodwill and reputation among its sponsors and vendors.
- 17) "The New Faces of Pride Houston has made false statements to the public claiming it is partnering with organizations for the Houston Pride Parade and Festival to the point that other organizations have been forced to publish statements combating that narrative.
- 18) "The disgruntled vendor, along with Lori Hood and Bryan Cotton, have made many inflammatory, and untrue, statements in the press about this organization.
- 19) "It is apparent that The New Faces of Pride Houston are attempting to financially hurt Pride Houston as an attempt to supplant Pride Houston as the official Pride organization of Houston, pass off itself, and its executives, directors, and/or officers, as affiliated with Pride Houston, and infringe on Pride Houston's Trademarks to facilitate same.
- 20) "The New Faces of Pride Houston business name is problematic and deceitful, and the infringement upon Pride Houston's Trademarks continue to cause confusion and financial harm to Pride Houston, which has been forced to request immediate relief from the courts. Further, Pride Houston has not licensed or granted any permission to any of Pride Houston's Trademarks to The New Faces of Pride Houston.
- 21) "Pride Houston has long-existed in the same region and market as other Pride festivals held within the City of Houston yet has still maintained to extensively build and establish its brand and trade name as a stand-out amongst same. While these other events, including, but are not limited to, Pride with Families, the Bigger, Better, Pride, etc., are technically competing events to Plaintiff's Pride Events, Pride Houston has never experienced any conflict with same and is not generally opposed to such competing festivals. However, Pride Houston has also never experienced an organization seeking to unlawfully profit from Pride Houston's forty-six (46) year legacy and harm Pride Houston's long-earned goodwill as The New Faces of Houston Pride is now attempting to do.
- 22) "Attached to Plaintiff's Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 2* is a true and correct copy of the Trademark Registration for "Pride Houston."
- 23) "Attached to Plaintiff's Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 3* is a true and correct copy of the Trademark Registration for "Houston Pride Festival."

Exhibit 1

- 24) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 4* is a true and correct copy of the Trademark Registration for “Houston Pride Parade.”
- 25) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 5* is a true and correct copy of the Trademark Registration for “Houston LGBT Pride Celebration.”
- 26) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 6* is a true and correct copy of the Trademark Registration for “Pride Houston Celebration.”
- 27) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 7* is a true and correct copy of the Articles of Incorporation for the Pride Committee of Houston, Inc. and the Articles of Amendment of Pride Committee of Houston, Inc. changing its business name to Pride Houston, Inc.
- 28) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 8* is a true and correct copy of the Certificate of Formation of a Nonprofit Corporation for The New Faces of Pride, Inc.
- 29) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 9* is a true and correct copy of the Certificate of Amendment of The New Faces of Pride, Inc. changing its business name to The New Faces of Pride Houston, Inc.
- 30) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 10* is a true and correct copy of social media and internet postings by The New Faces of Pride Houston using Pride Houston’s Trademarks.
- 31) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 11* is a true and correct copy of an OutSmart Magazine Article dated October 19, 2023, titled as “Will Houston Have Two Pride Celebrations?”
- 32) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 12* is a true and correct copy of a Houston Business Journal Article dated October 4, 2023, titled as “Exclusive: Houston’s newest LGBTIA+ nonprofit aims to celebrate Pride year-round.”
- 33) “Attached to Plaintiff’s Original Complaint and Application for Temporary Restraining

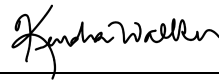
Exhibit 1

Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 13* is a true and correct copy of social media and internet postings made by The New Faces of Pride Houston using Pride Houston's Trademarks related to Plaintiff's Pride Events the "Houston Pride Festival" and the "Houston Pride Parade."

- 34) "Attached to Plaintiff's Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 14* is a true and correct copy of Pride Houston's 2024 Official Houston Pride Celebration Registration, Information, and Parade Route Map.
- 35) "Attached to Plaintiff's Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 15* is a true and correct copy of The New Faces of Pride Houston's 2024 Pride Parade and Festival and Parade Route Map.
- 36) "Attached to Plaintiff's Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 16* is a true and correct copy of a Houston Public Media Article dated October 23, 2023, titled "Houston's Feuding Pride organizations planning two separate events for June 2024."
- 37) "Attached to Plaintiff's Original Complaint and Application for Temporary Restraining Order, Temporary Injunction, Permanent Injunction, and Declaratory Action as *Exhibit 17* is a true and correct copy of communications sent to Kendra Walker and Pride Houston showing confusion between Pride Houston and The New Faces of Pride Houston.
- 38) "I declare under penalty of perjury that the foregoing is true and correct.

"Further, Declarant sayeth not."

Executed on October 25, 2023.



Kendra Walker